

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

JAN 18 2019

Clerk, U S District Court
District Of Montana
Billings

VICTOR BAKER,

Petitioner,

vs.

ALBERT C. JONES, INDIAN
PROBATE JUDGE FOR THE U.S.
DEPARTMENT OF THE INTERIOR,

Respondents.

CV 18-135-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on January 3, 2019. (Doc. 8). The Magistrate recommended the Court dismiss the Complaint for failure to state a claim upon which relief may be granted. (Doc. 8 at 5).

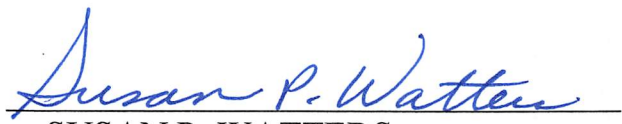
Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 8) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that the Complaint is DISMISSED without prejudice.

DATED this 18th day of January 2019.


SUSAN P. WATTERS
United States District Judge